

ranchers are begging us to do it. They need a solution. Our farm economy in some areas is becoming paralyzed. I showed you Toni Skully. They were unable to harvest 35 percent of their crop. This is what is happening all over California. I have been told it is also happening to my lemon growers in San Diego. They are experiencing a 15- to 20-percent harvest loss. Avocado farmers in Ventura County are worried about workers for the December planting season. Tree fruit growers in Fresno County have seen the labor force decrease by as much as 50 percent. In Sonoma, as many as 17,000 seasonal farm workers have not returned to work in the fields.

Again, I don't have a problem with the fence. We need to build it where we have a porous border. But that doesn't help our people.

Agriculture is a \$239 billion-a-year industry, and if we refuse to provide a solution to labor shortages now, we are jeopardizing our domestic economy and our foreign export market. We are driving up production costs that get passed on to consumers. Our consumers are already having trouble with health care costs, with gasoline costs, with college tuition—oh, and now they are going to have problems putting food on the table.

This is not the time to turn away from our farmers. All of this is happening for absolutely no reason. There is no problem in allowing us to proceed with this amendment to offer AgJOBS. I have been on the AgJOBS bill, probably since 2000, 2001, and we continue to have strong support for it. But, again, because this Republican Congress can, apparently, only do one thing at a time, when it comes to immigration, we are precluded from offering this amendment.

Mr. President, my farmers are proud, as are yours. My ranchers and my dairy families are proud. They don't ask for much. But when they came to meet with me—and they have come several times—and I saw the look on their faces.

I said: What is it?

They finally said: You have to act.

I said: The fence bill is coming up.

They said: Maybe that is a chance now. We can get AgJOBS attached to it.

I went to Senator KENNEDY, and I said to him at a caucus luncheon: They are bringing up the fence bill, so why don't we move forward?

He said: I am working on it, and I hope we can have a comprehensive approach. A lot of people care about this.

Apparently, there are not enough Republican leaders who care about it because we are being told there won't be an amendment for AgJOBS. This is certainly a place where Democrats and Republicans should come together. I simply don't understand why they allow our farmers to suffer, to worry, to wonder, to lose money, and then they have to come to us and ask for emergency help. They don't want emergency help.

AgJOBS is supported by United Fresh Fruit and Vegetable Association, the Agricultural Coalition for Immigration Reform, the National Council of Agricultural Employers, the Western United Dairymen, the California Grape and Tree Fruit League, California Citrus Mutual, the California Strawberry Commission, the California Association of Wine-Grape Growers, and the California Canning Peach Association.

The AgJOBS bill has pulled together both the owners and the workers. I thank Senators CRAIG and KENNEDY for doing that. All they need is for us to do our job. The Senate is choosing to neglect a major sector of our Nation's economy—a bill supported by 62 Senators.

Again, the farm community has been a traditional Republican stronghold. So this isn't even good politics. I say to my friends it is bad politics, and it is bad policy. At the end of the day, we can still insist that Senator FRIST allow us to offer the Craig-Kennedy-Feinstein-Boxer measure, and all of us who care about this bill have a chance to do it. We don't want lip-service. We don't want calming talk. We want action. We want action now. We want to help the farmers, the consumers, the workers.

We don't want to see another industry fall apart right beneath our noses. We have enough problems going on with people losing their health care, they cannot afford college, and the housing market is in a precarious situation. Why would we not come together and take care of this important constituency?

In closing, a headline from last Friday's New York Times reads:

Pickers Are Few, and Growers Blame Congress

And they should blame Congress. Pretty soon it will be consumers blaming Congress, and they should. So let's get our act together. Let's get it done. Thank you very much.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington is recognized.

Mrs. MURRAY. Mr. President, under the unanimous consent, the Senator from Idaho is next, but he is not on the Senate floor. I ask unanimous consent that I may proceed next in line.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### APPROPRIATIONS

Mrs. MURRAY. Mr. President, I rise this afternoon as we go into the last hours of this session, before we are apparently going to adjourn for an entire 5 or 6 weeks, until after the election, to join with my leader on the Appropriations Committee, Senator BYRD, who spoke earlier today, and explain how the Republicans' failure to act on the annual funding bills is going to hurt all of our communities.

As Senators, we have a job to do in passing the annual spending bills that fund essentially all of our Government.

It is one of the most basic responsibilities we have. On the Appropriations Committee, under the leadership of Chairman COCHRAN and Ranking Member BYRD, we have done our job. But on the Senate floor, the Senate Republican leadership has blocked our progress.

American families are going to pay the price. When I go home and talk to constituents in my State of Washington, they tell me they want our country to be strong again. The way that we can be strong again is to invest at home. That is what I have been fighting to do on the Appropriations Committee. But now the Republican leadership is refusing to allow us to move forward on the investments that we have agreed on in a bipartisan way in the Appropriations Committee. In fact, they are not even allowing us to debate making those investments. That is how wrong I see the priorities by this leadership.

Some people may suggest that if we pass this continuing resolution, everything is going to be fine. I hear the claims that there is no real difference between passing the bills we have worked so hard to put together and just putting our Government on autopilot for a couple of months. Nobody should believe that. It is simply not true.

There is a real cost to failing to act on the appropriations bills. This country is going to pay a price in airline safety. We are not going to be able to rapidly hire the air traffic controllers or safety inspectors we need. We are going to pay a price in highway safety because we are not going to be able to rapidly reverse the high increase in traffic fatalities. We are going to pay a price in the fight against terrorism. We are not going to be able to fund the Treasury Department's efforts to stop terrorist financing. We are going to pay a price in educating our kids, improving our communities, and training our workforce.

Almost everywhere you look, we are going to pay a price if the Republican leadership succeeds in blocking action on the annual appropriations bills.

I want to share some specific examples. First, I will say a word about why this is happening. It is not because of partisan gridlock or because we have not had enough time to act. All of our bills have been ready to go since August. It is because this Republican leadership does not want to have a public debate about America's priorities just weeks before an election. I suspect it is because they realize their priorities are out of step with the American people.

There may be another reason to stall these bills. It hides the true cost of their wrong priorities. When we bring these bills up on the floor, we have a chance—all of us in America—to see what is funded and what is not. We have a chance to offer amendments and debate about priorities that deserve more support. By blocking that debate,

the Republican leadership is hiding the true cost of their policies. Just as they have used supplemental spending bills to hide the true cost of the war, they are failing to act on the annual spending bills to hide the cost of their misplaced priorities. They prefer to mask from the voters the tough funding choices their policies will require.

They prefer to deny almost three-quarters of this Senate the opportunity to have any input on the appropriations bills by sending these bills directly from the committee to a conference. They prefer to set up an end-of-the-year train wreck that will require a massive Omnibus appropriations bill that will shortchange America's needs with a minimum amount of debate.

I personally thank Senator BYRD for taking the time this morning to call this issue to the attention of the entire Senate, as well as to the entire Nation. I thank our committee chairman, Senator COCHRAN, for his very capable leadership of our committee. I only wish Senator COCHRAN was in power to control the floor schedule and not just the committee schedule.

Last year, Senator COCHRAN surprised many of us and earned the respect of all of us in doing what seemed impossible: he succeeded in sending 11 appropriations bills to the White House for signature. He showed us how it should be done.

This year, when it came to the management of our committee, Senator COCHRAN actually improved on last year's record. Last year, the Appropriations Committee reported all but one appropriations bill to the Senate floor before the August recess. This year, Chairman COCHRAN saw to it that each and every one of our appropriations bills was reported to the Senate floor before the August recess. That involved a lot of very hard work and some very long markups. No one worked harder than Chairman COCHRAN himself.

Unfortunately, this year, the Senate Republican leadership didn't share Chairman COCHRAN's commitment. That is a change from last year. Last year, the Senate Republican leadership saw to it that all 12 appropriations bills were considered on the floor prior to adjournment. Today, we are just a few hours away from the beginning of a very long fall recess, and yet the Senate Republican leadership has seen fit to call up only 2 of our 12 appropriations bills that the committee reported back in June and July. That record is shameful.

The full Senate has only debated two funding bills this year—Defense and Homeland Security. They are certainly really important, but they are just 2 of the 12 bills that we are charged with passing.

The others are critically important as well. Those bills ensure that the care of our veterans returning home from Iraq is met. They ensure that we educate our children, that we meet the

housing needs of the people we represent, and that we deal with the health care of all of our families, particularly our seniors. Those bills support our efforts to fight crime and drug abuse, provide disaster assistance to struggling family farmers, and invest in our roads, our bridges, and our rail system.

It seems, as far as the Republican leadership is concerned, that those issues this year can rot on the vine. According to their plan, these functions of Government will be subjected to a continuing resolution that guarantees them only the lowest possible funding level.

I have had the privilege of serving on the Appropriations Committee for every one of my 14 years in the Senate, and I am certainly aware that Congress does not have a great track record when it comes to finishing all the appropriations work before the beginning of a fiscal year. But in my 14 years, I cannot remember a time when the Senate has made so little progress in executing its most basic responsibilities. The new fiscal year starts this coming Saturday, tomorrow. I had my staff go back and check the record, and I can tell my colleagues that in the last 14 years, we have never begun a new fiscal year having passed as few as two of the appropriations bills out of the Senate. This year, we have a deplorable record.

Looking forward, we are now hearing rumors that the other 10 appropriations bills are never going to come to the Senate floor for debate. We are hearing rumors they are going to be sent straight to a conference with the House of Representatives to put together some kind of massive omnibus appropriations bill. I hope that is not the case. That approach, frankly, is an insult to the 72 Members of this Senate who do not serve on the Appropriations Committee. As a member of that committee, I had the opportunity to review each of those bills the committee reported. I had an opportunity to offer amendments in committee and full committee markups, but 72 of my Senate colleagues never had that opportunity.

Those 72 Senators were elected by the people of their State to oversee and influence decisions regarding the way their tax dollars are spent. By denying these 72 Senators the opportunity to debate these important bills, the Senate Republican leadership is denying those Senators' constituents the right to be heard. That is not the way this Senate ought to be doing its business.

Our country will pay a high price if we fail to act on these appropriations bills.

Some people are claiming it doesn't matter when we get around to actually finalizing the appropriations process. Mr. President, as the ranking member on the Appropriations Subcommittee on Transportation, Treasury, the Judiciary, and HUD, I want to tell my colleagues that it does matter. I will give a couple of examples.

Last month, we experienced a tragic plane crash in Lexington, KY. The NTSB has not yet reported to us on the actual cause of that crash, but it was revealed that the air traffic control tower at Lexington had only one controller on duty—one controller on duty—contrary to the FAA's own policy. When this incident occurred, it was discovered that several other towers were also operating with only one air traffic controller.

Everyone involved in aviation policy knows the FAA needs to hire more controllers. They have to fill the vacancies, and they have to replace a growing number of retirees. There is money in the FAA budget to hire more controllers. We put the money in the House and Senate appropriations bills to hire those controllers. But until the FAA Administrator gets a final budget, she won't know how many controllers she can hire or how quickly she can hire them. This is a basic issue of safety and people's lives. But it is the safety issue that the Senate Republican leadership is now happy to have wait on the back burner for a few more months.

A similar situation existed in the hiring of more air traffic safety inspectors. We desperately need more safety inspectors to ensure that our financially strapped airlines are operating safely. An increasing amount of airline maintenance for U.S.-flagged airlines is now being conducted overseas. We need inspectors to visit those foreign repair stations to make sure all of the appropriate procedures are being followed.

Just this week, the National Academy of Sciences reported that the FAA needs to modernize its system for determining how many inspectors they need and whom to hire. But the FAA cannot address any of those deficiencies until it gets its final budget for the year. This is just another safety issue that the Senate Republican leadership is now happy to have wait on the back burner for a few more months.

The Republican leadership's failure to act could also hurt our efforts to fight terrorism. The Treasury Department has a critical role in combating terrorist financing. They are on the job morning, noon, and night trying to interrupt the cashflow between the terrorists and those who fund them.

Ever since 9/11, the Treasury Department has been seeking increased resources from our subcommittee to fight terrorist funding. Our subcommittee has provided every dollar the Treasury Department has requested, including the funding for increased personnel and infrastructure for fiscal year 2007.

The Treasury Department is now being told that the increased funding they had asked for will have to wait a few more months. Why? Because the Senate Republican leadership doesn't want us to debate the Transportation-Treasury bill before the election.

One of the issues being discussed in the closing days of this session is the

security of our courts and our judges. An effort is being made to provide authorization for additional court security in the Department of Defense authorization bill. The brutal murder of a father and mother of a Federal judge in Chicago showed us the urgent need for better security.

The Transportation-Treasury appropriations bill, as passed by the House and Senate committees, included sizable increases for that court security. We are not talking about an authorization; we are talking about cold, hard cash that will go out to better protect our judges. But you know what. That money can't go out until our appropriations bill is signed into law, and that can't happen if the Senate Republican leadership slows this appropriations process to a crawl.

Finally, I want to talk about the critical need for improved safety on our highways. One month ago, our Nation received a wake-up call from the National Highway Traffic Safety Administration.

For many years, our country was making steady progress in reducing the overall fatality rate. But last month, the fatality rate on our highways started to move back up. Deaths from motor vehicle crashes jumped up 1.4 percent over the level in 2004. We had 43,443 deaths on America's highways in 2005. That is the highest number since 1990.

We also have begun to see a number of road fatalities involving large trucks head back up. We made progress between 1998 and 2002, but since that time, the number of large truck fatalities is moving in the wrong direction.

More and more people are dying on our highways, and Congress is working to respond. There are increased levels of funding, consistent with the SAFETEA-LU authorization law—both for highway safety and motor carrier safety in both the House and Senate appropriations bills. But those additional resources that save lives on our highways have to wait. Why? Because the Senate Republican leadership didn't want to debate this Transportation appropriations bill before this election.

These decisions by the Senate Republican leadership to stall the appropriations process can and are having very real consequences.

I want to state today my deep disappointment that the Senate Republican leadership has done such an abysmal job in fulfilling its most basic responsibility to fund our Government.

The PRESIDING OFFICER. The Senator's time has expired.

Mrs. MURRAY. I ask for 1 additional minute.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. MURRAY. Mr. President, it doesn't have to be this way. Rather than spending the month of July and September debating bills for political reasons, we could have been debating these appropriations bills that are

critically needed for the Nation's safety and security. We could have been fighting for the people we represent. We could have been meeting their basic needs, protecting their livelihoods, and ensuring their safety. But our leadership said no, and now our families are paying a price.

I think the Senate deserves better, but more importantly, the people we represent deserve better.

I yield the floor.

The PRESIDING OFFICER. The Senator from Idaho.

#### EXTENSION OF MORNING BUSINESS

Mr. CRAIG. Mr. President, I ask unanimous consent that the period for the transaction of morning business be extended until 3:30 p.m. today, with time equally divided in the usual form, and the order of speakers remain in place.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### AGJOBS

Mr. CRAIG. Mr. President, I will be brief because I have already spoken on the issue with Senator FEINSTEIN of California earlier before the noon hour. I did want to come back and conclude my concerns.

My original cosponsor, Senator KENNEDY, is in the Chamber. He and I worked collectively on the issue of a guest worker program for this country that would create a legality, a transparency, and a reasonableness to the management of it in a reformed H-2A worker program that he and I worked on and shaped and which became known as AgJOBS, along with how we dealt with the issue of those in the country today who are illegal and who remain a critical part of the American workforce, and especially with agriculture, an industry that has become increasingly dependent upon migrant workers, guest workers and, in this instance, tragically enough, illegal workers. Let me cite a couple of examples because I, like Senator FEINSTEIN and others, Senator BOXER; the State of California, the State of Idaho, the State of Oregon, the State of Washington; in fact, the State of the Nation where agriculture exists today—the Presiding Officer, Senator MARTINEZ, has just gone through a situation in the State of Florida where literally millions and millions of dollars' worth of oranges have rotted simply because they couldn't find the hands to pick them to put them through the process of packing and distribution.

America's agriculture is dependent on hand labor. When we think of agriculture in the Midwest, we think of large machines doing all the work. It is simply not true. In the fruits and vegetables and nuts areas and many of the varieties of fruits we find abundant upon the supermarket shelves of America, we are dependent on hand labor,

and that hand labor over the last many decades has become predominantly foreign labor and, tragically enough, it has become illegal foreign labor. But because of a failure of government—and it is important I say this: It is not American agriculture's fault. It is a failure of government to appropriately and necessarily police our borders and devise and cause to work a reasonable, flexible, transparent guest worker program that brings us to the crisis American agriculture is beginning to experience as we speak.

The Senator from California spoke earlier of the literally billions of dollars' worth of crops that are going to be left in the fields of the greater San Joaquin Valley of California this year because there is no one to pick them.

I am always frustrated when it happens in my State that some of my citizens say: LARRY, we have all these people on welfare. Get them out and get them to work. Well, we reformed the welfare program dramatically, and literally millions of people who were once on welfare are working. We are at full employment in our country today. That means those who can and will are working. In my State of Idaho, we are almost beyond full employment. Finally, finally, after fairly heavy criticism for what I was doing to lead an area of immigration reform that was critical to my State, and much of that criticism came from my State, now Idaho agriculture is beginning to step up and say: My goodness, where are these workers we have grown to depend on?

We believe we are 18 to 20 percent underemployed in the State of Idaho. That means our packing sheds this fall and some of our produce, our fruits, and our vegetables have not and will not get harvested. Our potato industry is beginning to feel the impact of fewer people there to help them, and as a result their timely harvest and their timely packing simply will not occur.

So whether it is Idaho or California or Florida or anywhere else in the Nation, American agriculture exists. Whether it is with the nursery industry or the landscaping industry, they too are now experiencing the great difficulty of this country doing what it should have done a long time ago; that is, control its borders.

The shortages today are a result of our southern border beginning to close. We have made a commitment to the American people that we will secure that border. Part of the debate which will occur this afternoon when we get back on the fence bill will be that kind of debate: how we can further secure our borders. But if you only secure your borders and you do not create a legal and transparent program by which foreign nationals can enter our country to enter our workforce legally, then we will create an economic schism in this country that is, without question, real. It is showing up in agriculture today because agriculture has historically been a threshold economy